

★ MAR 05 2025 ★

UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

IN RE NANCY LEE,
PETITIONER

MISC 25-912

Civil Case No.:

AZRACK, J.

MOTION FOR AMENDMENT OF
NATURALIZATION CERTIFICATE:
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT N-410
MOTION FOR AMENDMENT OF
NATURALIZATION CERTIFICATE

I. INTRODUCTION

Petitioner, Nancy Lee, by Wendy Wang of the Law Offices of Hua & Wang, P.C., her attorneys, hereby petitions this court for an Order amending Petitioner's Certificate of Naturalization, seeking correction of her date of birth from March 27, 1944 to March 27, 1946.

II. STATEMENT OF SUBJECT MATTER AND JURISDICTION

This Court has the authority to amend naturalization certificates issued by courts prior to the enactment of the Immigration Act of 1990. *In re Mehrdad Emadzadeh*, 19-MC-1583 (KAM) (E.D.N.Y. Aug. 1, 2022). The United States Court of Appeals for the Ninth Circuit found that "federal courts have jurisdiction to modify certificates issued by the courts before the Immigration Act of 1990 came into effect." *Collins v. US Citizenship and Naturalization Servs.*, 820 F.3d 1096, 1099 (9th Cir. 2016).

Several neighboring courts have recognized the court's authority to amend a certificate of naturalization to correct a petitioner's date of birth including the Northern District of New York and the District of New Jersey. *Nguyen v. U.S. Dep 't of Homeland Sec.*, 1:06-mc-00118-DNH-RFT, 2007 WL 2156649 (N.D.N.Y. Jul. 25, 2007); see also *In re La*, 23-mc-33 (RK) (D.N.J. Nov. 27, 2023).

As Petitioner's Certificate of Naturalization was issued on July 10, 1981 by the Supreme Court of Suffolk County, this Court has jurisdiction to amend Petitioner's date of birth and venue is proper before this Court.

III. STATEMENT OF THE CASE

This petition is brought after filing a N-565, an application for a replacement naturalization/citizenship document with U.S. Citizenship and Immigration Services at the U.S. Department of Homeland Security. Subsequently, Petitioner was informed that a court order changing her date of birth would be required for USCIS to issue a certificate of naturalization with her correct date of birth.

IV. STATEMENT OF THE FACTS

Petitioner was born on March 27, 1946 in Chongqing, China during the Second Kuomintang-Communist Civil War. Due to the chaos from the war, Petitioner was never issued a birth certificate and her birth was incorrectly recorded as March 27, 1944. Her parents subsequently applied for a visa to immigrate to the United States and was forced to use the incorrect date of birth on their application.

Petitioner became a naturalized United States citizen on July 10, 1981 before the Supreme Court of Suffolk County in Riverhead, NY. Since entering the United States, Petitioner has attempted to use her correct date of birth whenever possible. Petitioner's New York and New

Jersey drivers' license both bear her correct date of birth. Petitioner's records with the Social Security Administration uses her correct date of birth. Petitioner's United States passport bears her correct date of birth. Petitioner's school records and marriage license contain her correct date of birth. Petitioner's date of birth has since been corrected in the governmental records in China as is shown in the Notarial Certificate issued by the PRC Shanghai Notary Public Office dated 11/22/2004, and in the PRC Alien Employment Permit dated 1/26/2006.

V. ARGUMENT

The test to determine whether the Court should grant a petition to amend the date of birth on the naturalization certificate is set forth in *Hussain v. USCIS*, 541 F. Supp. 2d 1082, 1087 (D. Minn. 2008):

1. There is clear and convincing evidence that the birth date on the certificate of naturalization is wrong;
2. There is little or no evidence that the petitioner acted fraudulently or in bad faith either when he or she later sought to amend the certificate of naturalization; and
3. There is reliable evidence supporting the birth date that the petitioner now alleges is correct.

Petitioner's petition to amend her date of birth on her naturalization certificate should be granted because the date of birth on her naturalization certificate is incorrect, Petitioner did not act fraudulently or in bad faith when the incorrect date of birth was provided, as the Chinese government had incorrectly recorded her date of birth, and the evidence supporting Petitioner's birth date is reliable.

Petitioner has the "stringent burden" of establishing that the date of birth on her

naturalization certificate is incorrect. *Nguyen*, 2007 WL 2156649, at *6. The "unequivocal evidence" standard has been equated to the "clear and convincing" standard. *Kennedy v. U.S. Citizenship and Immigration Servs.*, 871 F. Supp. 2d 996, 1008 (N.D. Cal. 2012) (citing *Hussain*, 541 F. Supp. 2d at 1086- 87.)

In this action, Petitioner was never issued a birth certificate as she was born during the Second Kuomintang-Communist Civil War. However, she has provided copies and translations of official government documents from China which now contain her correct date of birth. In addition, Petitioner submits her declaration with her correct date of birth along with her long history of using her correct date of birth whenever possible.

Petitioner did not act fraudulently or in bad faith when she initially provided the incorrect date of birth as she was a minor when her parents applied to immigrate to the United States. Additionally, Petitioner and her family had no choice but to use Petitioner's incorrect date of birth as it was the date used in the Chinese government records for Petitioner's date of birth.

"[I]n cases in which courts have granted petitions to amend, there was strong evidence that the birth date on the certificate was incorrect, and there was no indication that the petitioner had acted fraudulently or in bad faith." *Hussain, supra*, 541 F.Supp.2d at 1086. Courts have also granted petitions to amend even when the petitioner admitted that he knew that the date of birth given to immigration officials was not correct. See *Hussain, supra*, 541 F.Supp.2d at 1087.

In *Varghai v. Immigration and Naturalization Service*, 932 F.Supp.1245 (D. Or. 1996), the court found that no opportunity for fraud existed where a date of birth had already been corrected by the Social Security Administration and the state motor vehicles division. In this action, Petitioner's correct date of birth is already used by the Social Security Administration, the New York and New Jersey State Department of Motor Vehicles, and the U.S. Department of State.

Petitioner's drivers' licenses, United States passport, and records with the Social Security Administration all contain Petitioner's correct date of birth. Amending Petitioner's Certificate of Naturalization would bring no benefits to Petitioner other than to have consistency in her records.

VI. CONCLUSION

Petitioner's petition to amend her naturalization certificate should be approved, and the Court should issue an order directing United States Citizenship and Immigration Services to issue a new naturalization certificate reflecting the Petitioner's birth date as March 27, 1946.

Date: February 26, 2025

Respectfully submitted,

s/ Wendy Wang
Wendy Wang, Esq.
WW5026
Attorney for Petitioner
Law Offices of Hua & Wang, P.C.
135-27 38th Ave., Suite 118
Flushing, NY 11354
Tel: (718) 321-3316
Fax: (718) 732-2512
wwang@huawanglaw.com

Exhibit List

Exhibit A	Declaration of Petitioner Nancy Lee
Exhibit B	Certificate of Naturalization of Petitioner
Exhibit C	Petitioner's PRC Alien Employment Permit dated 1/26/2006, Petitioner's visa to China, Notarial Certificate issued by the PRC Shanghai Notary Public Office dated 11/22/2004,
Exhibit D	Petitioner's New York and New Jersey Driver License
Exhibit E	Petitioner's United States Passport
Exhibit F	Petitioner's Social Security Administration Profile
Exhibit G	Petitioner's school records
Exhibit H	Petitioner's marriage license
Exhibit I	USCIS Decision

EXHIBIT A

DECLARATION OF NANCY LEE

I, NANCY LEE, hereby declare the following:

1. My name is Nancy Lee. All statements contained herein are of my own personal knowledge except for those matters stated upon information and belief. As to all matters stated upon information and belief, I believe them to be true. If called as a witness, I could and would, testify competently as to all matters contained in this declaration.

2. I am a naturalized citizen of the United States. I became a naturalized citizen of the United States on July 10, 1981 before the Supreme Court of Suffolk County located in Riverhead, New York.

3. I make this declaration in support of my petition to amend my certificate of naturalization.

4. On my certificate of naturalization, my date of birth is recorded as March 27, 1944.

5. In fact, I was born on March 27, 1946 in Chongqing, China.

6. From 1945 to 1949, Second Kuomintang-Communist Civil War was being fought in China.

7. As I was born during the Second Kuomintang-Communist Civil War, a birth certificate was never issued to my family after my birth. The confusion and disruption from the war even caused my date of birth to be recorded incorrectly in the Chinese government records.

8. On or about October 8, 1962, my parents applied for a visa for me to come to the United States. At the time, my date of birth had not been corrected in the Chinese government records and so my parents were forced to use March 27, 1944 for my date of birth even though they knew it was incorrect.

9. On or about May 29, 1964, I came to the United States.

10. On July 10, 1981, I became of a citizen of the United States.

11. On or around 2000, my date of birth was corrected in the Chinese government records as can be seen in the Chinese Visa, and Notarial Certificate issued by the PRC Shanghai Notary Public Office dated 11/22/2004, and in the PRC Alien Employment Permit dated 1/26/2006.

12. I knew the date of birth on my certificate of naturalization was wrong. I used every opportunity to correct my date of birth in official government records.

13. My New York and New Jersey drivers' license bears my correct date of birth.

14. My United States passport has my correct date of birth.

15. My record with the Social Security Administration has my correct date of birth.

16. My school records used my correct date of birth.

17. My marriage license used my correct date of birth.

18. I did not realize until recently that it would be possible to correct my Certificate of Naturalization. As soon as I realized it would be possible to correct my Certificate of Naturalization, I submitted a request to USCIS.

19. I have built a wonderful life in the United States. I am married with two daughters. I have never been arrested and I have never committed any crimes. During my entire time in the United States, I have tried to be a good and lawful person that contributes to society.

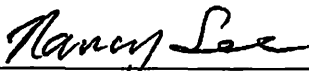
20. There would be little to no prejudice to the United States because I have already corrected my date of birth with the New York Department of Motor Vehicles, New Jersey Department of Motor Vehicles, United States Department of State and the Social Security Administration.

21. I have not received any immigration benefits or any government benefits from my incorrect date of birth. I will not receive any benefits from changing my date of birth on my certificate of naturalization other than to have consistency in my records.

22. I request that my certificate of naturalization and my records with USCIS be amended to reflect my accurate date of birth.

I declare under penalty of perjury that the foregoing is true and correct.

Date: February 12, 2025



Nancy Lee

EXHIBIT B

THE UNITED STATES OF AMERICA

TO BE FORWARDED TO
IMMIGRATION AND NATURALIZATION SERVICE



No. 11334905

OFFICE OF THE

RECORDS AND ADMINISTRATION

Petition No. 24819

• DUPLICATE •

Alien Registration No. A12 964 829

Personal description of holder as of date of naturalization: Date of birth March 27, 1944 Female
complexion Fair color of eyes Dk. Brown color of hair Black height 5 feet 2 1/2 inches
weight 125 pounds visible distinctive marks None
Martial status Married Country of former nationality China

I certify that the description above given is true, and that the photograph affixed hereto is a likeness of me.



I Nancy Lee
(Complete and true signature of holder)
State of New York
Suffolk County ss:

Be it known that at a term of the Supreme Court of Suffolk County

held pursuant to law at Riverhead, New York

on July 10, 1981 the Court having found that

then residing at 18 Cinderella Lane, East Setauket, N.Y.

intends to reside permanently in the United States (when so required by the Naturalization Laws of the United States), had in all other respects complied with the applicable provisions of such naturalization laws, and was entitled to be admitted to citizenship, thereupon ordered that such person be and (she was) admitted as a citizen of the United States of America.

In testimony whereof the seal of the court is hereunto affixed this 10th day of July in the year of our Lord nineteen hundred and Eighty-One

Arthur J. Felice

Clerk of the Supreme Court.

By Michael A. Fabuzio Deputy Clerk.

IT IS PUNISHABLE BY U. S. LAW TO COPY,
PRINT OR PHOTOGRAPH THIS CERTIFICATE.

DEPARTMENT OF JUSTICE

EXHIBIT C

中华人民共和国

People's Republic of China



外国人就业证

ALIEN EMPLOYMENT

PERMIT

浙外就

字

第

A20061974

号

NO.

颁证机关(印)

Issued by (Seal)





签证机关

Issued by

持证人签名

Signature of the bearer

NANCY LEE

外文

姓名 in native language

Name 中文

in Chinese

国籍

美国

护照号

216236739

Nationality

Passport No.

出生日期

1946-03-27

性别

女

Date of birth

Sex

职业或身份

法人代表

Occupation or status

工作单位

杭州露特丝服饰有限公司

Name of employer

现在住址

上海大沽路186弄2号楼2502室

Present address

有 效 期 限

Validity

2015 05 29
有效期至 Valid until day

签证机关(印)
Issued by (Seal)

2006 01 26
签发日期 Date of issue yr mth day

延 期

Renewal

有效期延至 年 月 日
Validity extended to yr mth day

签证机关(印)
Issued by (Seal)

签发日期 年 月 日
Date of issue yr mth day

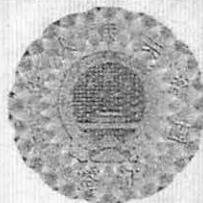
有效期延至 年 月 日
Validity extended to yr mth day

签证机关(印)
Issued by (Seal)

签发日期 年 月 日
Date of issue yr mth day

AT 63533

签证种类 CATEGORY	L	次数 ENTRIES	02(貳)
有效期至 ENTER BEFORE	00.11.15	在华停留天数 DAYS FOR EACH STAY	030
签发日期 ISSUE DATE	00.05.15	签发地点 ISSUED AT	纽约
姓名 FULL NAME	LEE, N.		
出生日期 BIRTH DATE	46.03.27	护照号码 PASSPORT NO	093440489
备注 REMARKS			



VLCHNLEE<<NANCY<<<<<<<<<<<<<<<<<<<<<<<<<<<<
0934404891USA4603270F0011156120<USABA0Z2276D

D&T Translations – Professional Translation Agency

(D&T Translations is a trade name of Global Hand Consulting LLC)

Tel +1 (973)-241-3614

911 Memorial Drive,
Belleville, NJ, 07109
(By appointment only, email for more details)

www.dttranslations.com
support@dttranslations.com



Notarial Certificate

Shanghai Notary Public Office, People's Republic of China

Shanghai Notary Public Office
(Scaled)

D&T Translations – Professional Translation Agency*(D&T Translations is a trade name of Global Hand Consulting LLC)***Tel +1 (973)-241-3614**911 Memorial Drive,
Belleville, NJ, 07109
(By appointment only, email for more details)www.dttranslations.com
support@dttranslations.com**Declaration**

DECLARATOR: NANCY LEE (Zongqiong Li), female.

Born on March 27, 1946

Identity card number: 093440489

I, Zongqiong Li, currently settled in the United States. Because I need an English name in the United States, my English name in the United States changed to Nancy Lee, which is the name on my current U.S. passport. Zongqiong Li is the Chinese name that I used in China. The above Chinese name and English name are both used by me.

All the above is true. I will bear the legal consequences for any falsehoods.

Disclaimer: Nancy Lee/Zongqiong Li

Dated November 22nd, 2004

Shanghai Notary Public Office
(Sealed)

D&T Translations – Professional Translation Agency*(D&T Translations is a trade name of Global Hand Consulting LLC)***Tel +1 (973)-241-3614**911 Memorial Drive,
Belleville, NJ, 07109
(By appointment only, email for more details)www.dttranslations.com
support@dttranslations.com**Notarial Certificate****(2004)H.Z.W.Z.NO.49621**

I HEREBY CERTIFY that NANCY LEE, female, born March 27, 1946, U.S. Passport No. 093440489, came into our office on the 22nd day of October 2004, and in the presence of a Notary Public of this office, subscribed her name to the foregoing Declaration.

Shanghai Notary Public Office, People's Republic of China

Notary: Yue Fang (Signature)

Dated November 24th, 2004

Shanghai Notary Public Office
(Sealed)

N05166757

D&T Translations – Professional Translation Agency*(D&T Translations is a trade name of Global Hand Consulting LLC)*

Tel +1 (973)-241-3614

911 Memorial Drive,
Belleville, NJ, 07109
(By appointment only, email for more details)www.dttranslations.com
support@dttranslations.com**Certification of Translation Accuracy**

I, *Wu Liang*, a contract translator at D&T Translations, certify that I am competent to translate from *Chinese* into English, and that the attached translation of a document entitled "Notarial Certificate" belonging to NANCY LEE is complete and accurate. This translation was not performed by a family member, friend, or business associate.

D&T Translations does not vouch for the authenticity of the aforementioned copy(ies) of the document(s) or statements contained therein. D&T Translations, including its translators and project managers, are not liable for any actions/losses taken by the holder of this translation.

Date: 05/08/2024

Signature:

Doniyor Askarov

Contract translator, Wu Liang
In Collaboration with D&T Translations
Phone: +1 (973)-241-3614
Email: support@dttranslations.com
Mailing address: 1110 Hamilton Street, Belleville,
NJ, 07109, USA. (By appointment only, please email for more details)

State of New Jersey.County of Passaic.Subscribed and Sworn before me using two-way video and audio this 08 day of

May, 2024. *Gabrielle Georges* Notary Public
(Notary's Signature)

Notarized online using audio-video communication

Gabrielle Georges
Electronic Notary Public
State of New Jersey
Commission #: 50217433
Commission Expires: 01/04/2029

公 证 书

中华人民共和国上海市公证处

声 明 书

声明人: NANCY LEE(李宗琼), 女,

一九四六年三月二十七日出生

身份证件号码: 093440489

我, 李宗琼定居在美国, 因美国需要英文名, 我在美国的英文名为 NANCY LEE 也就是本人现持有的美国护照上名字。即 NANCY LEE 本人的英文名, 而李宗琼为本人在中国使用的中文名。上述的中文名及英文名均为本人所使用。

以上情况均属实, 为此而发生的法律后果, 均由本人承担。

声明人: *Nancy Lee* 李宗琼

二〇〇四年十一月二十二日

公 证 书

(2004) 沪证外字第 49621 号

兹证明 NANCY LEE(李宗琼, 女, 一九四六年三月二十七日出生, 美国护照号码: 093440489)于二〇〇四年十一月二十二日来到我处, 在本处公证人员的面前, 在前面的《声明书》上签名。

中华人民共和国上海市公证处

公 证 员

方越

二〇〇四年十一月二十四日



EXHIBIT D

NEW JERSEY Motor Vehicle Commission CLASS: D
AUTO DRIVER LICENSE

Janet Linderoth
Deputy Commissioner

L2158 57700 53452
DOB: 03-27-1946

NANCY LEE
8 REDWOOD CT
W. WINDSOR NJ 08850-5137

ISSUED: 10-13-2004 EXPIRES: 07-31-2008

ENDOR: RESTR: 1

SEX HGT EYES
F 5-03 BRN

Nancy Lee

88235228700000589 GREEN 24.00



Mark J. Schneider
Commissioner of Motor Vehicles

NEW YORK STATE ^{USA}
DRIVER LICENSE



ID: 978 577 848

Class D

LEE
NANCY

445 5TH AVE # 30A
NEW YORK, NY 10016

DOB 03/27/1946

Issued 02/01/2023

Expires 03/27/2029

E NONE

n.B

Sex F Height 5'-03" Eyes BRO

Ronny Lee

NR 46

EXHIBIT E

*Of the United States,
in Order to form a more perfect Union,
establish Justice, insure domestic Tranquility,
provide for the common defence,
promote the general Welfare, and secure
the Blessings of Liberty to ourselves and
our Posterity, we do hereby establish this
Constitution for the United States of America.*

Nancy Lee

SIGNATURE OF BEARER / SIGNATURE DU TITULAIRE / FIRMA DEL TITULAR

PASSPORT
PASSEPORT
PASAPORTE



UNITED STATES OF AMERICA

Type / Type / Tipo Code / Code / Código Passport No. / No. du Passeport / No. de Pasaporte

P USA

Surname / Nom / Apellidos

LEE

Given Names / Prénoms / Nombres

NANCY

Nationality / Nationalité / Nacionalidad

UNITED STATES OF AMERICA

Date of birth / Date de naissance / Fecha de nacimiento

27 Mar 1946

Place of birth / Lieu de naissance / Lugar de nacimiento

CHINA

Date of issue / Date de délivrance / Fecha de expedición

01 Dec 2015

Date of expiration / Date d'expiration / Fecha de caducidad

30 Nov 2025

Endorsements / Mentions Spéciales / Anotaciones

SEE PAGE 51

531083711

Sex / Sexe / Sexo

F

Authority / Autorité / Autoridad

United States

Department of State

USA

[illegible]

5310837115USA4603270F2511306714844787<404244

EXHIBIT F



my Social Security

Nancy Lee

[Sign Out](#)

My Profile

Name: Nancy Lee **SSN:** ***-**-0107 **Date of Birth:** March 27, 1946

Banking

Update your Direct Deposit or Direct Express information

Contact

Update your Address or Phone associated with your Benefits

Notifications and Communications

Update how you receive information from Social Security

Security

Update your Email Address, Password, and other security settings

[REDACTED] -0107
[SOCIAL SECURITY ACCOUNT NUMBER]

NANCY J. LEE
315 W. HIGHLAND AVE.
MARION, INDIANA

SIGNATURE
FOR SOCIAL SECURITY AND TAX PURPOSES--NOT FOR IDENTIFICATION

YOUR SOCIAL SECURITY CARD

Detach the card below and sign it in ink immediately.
Do not laminate your card.
Carry it in your purse or wallet.

Keep this stub with your personal records. The other side contains important information.

|||||
NANCY LEE
6 REDWOOD COURT
LAWRENCEVILLE NJ 08648-5137

SOCIAL SECURITY

HEALTH BENEFIT
[REDACTED] -0107
THIS NUMBER HAS BEEN ESTABLISHED FOR
NANCY LEE
Nancy Lee
SIGNATURE

EXHIBIT G

LEE, NANCY

NAME OF STUDENT

0107

STUDENT NUMBER

C235 STAGE XII SUNY
STONY BROOK NY

LEGAL ADDRESS

3/27/46

DATE OF BIRTH

9/71

CHE

DATE ENTERED

DEPARTMENT

INSTITUTIONS PREVIOUSLY ATTENDED

DATES

DEGREE AWARDED

REMARKS

DEGREES AWARDED

DATE

DEGREE

THESIS TITLE

DEPT.	NUMBER	TITLE	CRS- ST	GRADE
91	311	52 0107 FALL		71
BIO	501	GENERAL BIOCHEMISTRY	4	B
CHE	523	CHEM THERMO	3	A
CHE	531	SEMINAR	0	S
CHE	589	DIRECTED STUDY	2	B
CHE	610	PRACT IN TEACHING	3	A
91	311	52 0107 SPRING		72
BIO	510	EXPER BIOCHEM II	3	A
CHE	530	PHYS CHEM OF MACROML	3	A
CHE	532	SEMINAR	1	A
CHE	610	PRACT IN TEACHING	2	A
CHE	699	RESEARCH	2	A
91	311	52 0107 SUMMER		72
CHE	699	RESEARCH	6	A

DEPT.	NUMBER	TITLE	CRS- ST	GRADE
92	311	52 0107 04/26/73 FALL		72
BIO	601	COLLOQ IN M & CB	0	S
CHE	610	PRACT IN TEACHING	3	A
CHE	694	CHEMICAL BIOLOGY SEM	1	S
CHE	698	COLLOQUIUM	1	S
CHE	699	RESEARCH	7	W
CHE	699	RESEARCH	7	A
92	311	52 0107 07/03/73 SPRING		73
BIO	506	MEMBRANES & TRANSP.	3	A
CHE	694	CHEMICAL BIOLOGY SEM	1	S
CHE	698	COLLOQUIUM	1	S
CHE	699	RESEARCH	7	A
92	311	52 0107 01/17/74 FALL		73
CHE	694**	CHEMICAL BIOLOGY SEM	1	P
CHE	698**	COLLOQUIUM	1	P
CHE	699	RESEARCH	10	A
92	311	52 0107 06/11/74 SPRING		74
CHE	694	CHEMICAL BIOLOGY SEM	1	S
CHE	698	COLLOQUIUM	1	S
CHE	699	RESEARCH	10	A
92	311	52 0107 08/31/74 SUMMER		74
CHE	800	SUMMER RESEARCH	0	A
CHE	800	SUMMER RESEARCH	0	A
92	311	52 0107 01/06/75 FALL		74
CHE	694	CHEMICAL BIOLOGY SEM	1	S
CHE	698	COLLOQUIUM	7	S
CHE	699	RESEARCH	1	A
RUS	115	READING RUSSIAN	3	A
92	311	52 0107 06/14/75 SPRING		75
CHE	694**	CHEMICAL BIOLOGY SEM	1	P
CHE	698**	COLLOQUIUM	1	P
CHE	699	RESEARCH	10	A
92	311	52 0107 07/25/75 SUM I		75
CHE	800	SUMMER RESEARCH	0	A



Mary Jane Koste

DEC 3 1975

STATE UNIVERSITY OF NEW YORK AT STONY BROOK

STONY BROOK, NEW YORK

GRADUATE SCHOOL

Asst. Registrar for Records

EXHIBIT H

City Smithtown County Suffolk STATE OF NEW YORK No. 641

Clerk Victor T. Less
No. _____

GROOM

BRIDE

Name Guang Fang Age 30
Residence 624 W. 24th St. New York, N.Y. Date of Birth 7.24.46
Occupation Translator United Nations
Birthplace Fukien, China No. of marriage first
Former wife or wives living or dead _____
Father Juan Jung Fang Divorced _____
Birthplace China " when _____
Mother Yuet Chien Yu " where _____
Birthplace China " against whom _____
Laboratory Life Extension Institute Date 8-12-76
Statement (Name and address of laboratory) (Test completed)
Physician's Albert Seegenreich (Same) Date 8-12-76
Statement (Name and address of physician) (Specimen taken)
Examination requirements were not dispensed with by judge or justice.
(Were or were not)
Consent by _____ Relation _____ Date _____
Consent by _____ Relation _____ Date _____
Proof of age _____ (Form)

Name Nancy Lee Age 30
Residence 1418 Chen St. New York, N.Y. Date of Birth 3.27.46
Occupation student university
Birthplace Chung Chung, China No. of marriage first
Former husband or husbands living or dead _____
Father J. Smith Lee Divorced _____
Birthplace China " when _____
Mother Flora Lee " where _____
Birthplace China " against whom _____
Laboratory 640 B'way 3rd Fl. S. D. H. B'nk. N.Y.C. Date 8-11-76
Statement (Name and address of laboratory) (Test completed)
Physician's T. D. ANNEA Student Health S.D.H. Date 8-11-76
Statement (Name and address of physician) (Specimen taken)
Examination requirements were not dispensed with by judge or justice.
(Were or were not)
Consent by _____ Relation _____ Date _____
Consent by _____ Relation _____ Date _____
Proof of age _____ (Form)

Date of Affidavit 8-25-76 License 8-26-76 Marriage 9-1-76 Place of Marriage New York, N.Y.
(Month) (Day) (Year) (Month) (Day) (Year) (Month) (Day) (Year) (Month) (Day) (Year)
Solemnization of marriage begins at 11:20 A.M. on the 26 day of Aug 1976 and ends at 2:20 day of October 1976
Witness John W. Jaick Staff Nurse - City Clerk's Office Hung Jung Lee

EXHIBIT I

August 5, 2024

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
P.O. Box 82521
Lincoln, NE 68501-2521



U.S. Citizenship
and Immigration
Services

NANCY LEE
c/o NANCY LEE
6 REDWOOD CT
WEST WINDSOR, NJ 08550-5137



IOE9892992078

RE: N-565, Application for Replacement
Naturalization/Citizenship Document



A012-964-829

DECISION

This notice refers to the Application for Replacement Naturalization or Citizenship Certificate, Form N-565, you filed with this office on September 18, 2023. You sought to replace your Certificate of Naturalization because your previous certificate was lost. Your N-565 application has been approved and your certificate will be reissued. However, USCIS is prohibited from changing your date of birth based upon the regulation below.

Title 8, Code of Federal Regulations, Part 338.5 (e) states:

The correction will not be deemed justified where the naturalized person later alleges that the name or date of birth which the applicant stated to be his or her correct name or date of birth at the time of naturalization was not in fact his or her name or date of birth at the time of the naturalization.

On your Form N-565, Application for Replacement Naturalization/Citizenship Document, you indicated your original certificate was lost. You are asking for a new Certificate of Naturalization to be mailed to you with the corrected date of birth, from March 27, 1944 to March 27, 1946, and also a new Immigrant Visa and Alien Registration.

On February 20, 2024, a request for evidence was sent to you informing you that USCIS does not have the jurisdiction to change your date of birth since you were naturalized before The Supreme Court of the State of New York, Suffolk County, at Riverhead, New York, prior to the amendment of the Immigration and Nationality Act by the Immigration Act of 1990 (IMMACT 90). This request for evidence was asking you to submit a copy of a certified court issued document from the Supreme Court of the State of New York, Suffolk County, at Riverhead, New York, showing your date of birth has been changed from March 27, 1944 to March 27, 1946. The request for evidence also stated you may wish to submit a FOIA/PA request for the other documents you are seeking. You were granted until May 17, 2024, to submit the requested evidence. However, no response to the Service's request was submitted.

Your original N-400 application shows your date of birth as March 27, 1944. This date of birth also appears as March 27, 1944 throughout your service record. This is also the date which you swore and attested to, under oath, at the time of your naturalization proceeding. No evidence was submitted

which confirms the legal change in your date of birth. In accordance with the above regulation, your request to change your date of birth is not deemed justified and is hereby denied. Your replacement Certificate of Naturalization will be issued with the date of birth as it was originally printed on your Certificate of Naturalization, March 27, 1944.

RIGHT TO APPEAL: If you disagree with this decision, you may appeal to the Administrative Appeals Office (AAO) by filing a Notice of Appeal or Motion (Form I-290B) within 30 days of the date of this decision (33 days if this notice was received by mail). Alternatively, you may use Form I-290B to submit a motion to reopen or reconsider. For the latest information on the filing fee, and other requirements, please review the Form I-290B instructions at <http://www.uscis.gov/forms>. For questions about your application, you can use our many online tools ([uscis.gov/tools](http://www.uscis.gov/tools)) including our virtual assistant, Emma. If you are not able to find the information you need online, you can reach out to the USCIS Contact Center by visiting [uscis.gov/contact-center](http://www.uscis.gov/contact-center). If USCIS does not receive a properly filed appeal, this decision will become final.

Sincerely,



L. Miller
Director
Officer: 0776

